

J. Russell Stedman (117130)  
Michael A. S. Newman (205299)  
Kathleen M. Dyer (227216)  
BARGER & WOLEN LLP  
650 California Street, 9<sup>th</sup> Floor  
San Francisco, CA 94108  
Telephone: (415) 434-2800  
Fax: (415) 434-2533

Attorneys for Defendant  
Metropolitan Life Insurance Company  
and Kaiser Permanente Flexible Benefits  
Plan

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO/OAKLAND DIVISION**

SANDRA STEIN,  
Plaintiff,

vs.

KAISER PERMANENTE FLEXIBLE  
BENEFITS PLAN and METROPOLITAN  
LIFE INSURANCE COMPANY,

Defendants.

CASE NO.: C05-02566 CW (JCS)

Hon. Joseph C. Spero

STIPULATION TO CONTINUE HEARING  
DATE FOR PLAINTIFF'S MOTION TO  
ALLOW DISCOVERY

Current Date: January 20, 2006

**New Proposed Date: February 3, 2006**

Time: 9:30 a.m.

Courtroom: A

Complaint Filed: June 23, 2005

Plaintiff SANDRA STEIN ("Plaintiff"), and Defendants METROPOLITAN LIFE  
INSURANCE COMPANY ("MetLife") and KAISER PERMANENTE FLEXIBLE BENEFITS  
PLAN (the "Plan") (collectively "Parties"), by and through their respective counsel of record,  
hereby stipulate that the hearing date for Plaintiff's Motion To Allow Discovery (currently set for  
January 20, 2006) be moved to **February 3, 2006**, at **9:30 a.m.**, in Courtroom A so as to allow the

1 parties the time and opportunity to further meet and confer regarding the discovery issues pending  
2 before this Court. The Parties further stipulate that Defendants' opposition and Plaintiff's reply will  
3 likewise be due when they would have been due had the hearing initially been set for February 3,  
4 2006. The Parties further stipulate that, pursuant to the Court's December 16, 2006 Order, the Joint  
5 Letter providing "a detailed summary of each party's final substantive position and its final  
6 proposed compromise on each issue" will be filed with the Court on or before January 13, 2006.  
7 While the parties have initially met and conferred in response to the Court's December 16, 2006  
8 Order, they believe that allowing more time for additional conference may result in the compromise  
9 of more issues currently in dispute; therefore, good cause exists.

10 Dated: December 29, 2005

BARGER & WOLEN LLP

11  
12 By: /s/ Michael A. S. Newman

13 Michael A. S. Newman  
14 Attorneys for Defendant  
15 METROPOLITAN LIFE INSURANCE  
16 COMPANY and KAISER  
17 PERMANENTE FLEXIBLE BENEFITS  
18 PLAN

19 Dated: December 29, 2005

LAW OFFICES OF STEVEN M. CHABRE

20 By: /s/ Steven M. Chabre

21 STEVEN M. CHABRE  
22 Attorneys for Plaintiff  
23 SANDRA STEIN

24 **PROPOSED ORDER**

25 Pursuant to the STIPULATION TO CONTINUE HEARING DATE FOR PLAINTIFF'S  
26 MOTION TO ALLOW DISCOVERY and good cause appearing therefor, IT IS HEREBY  
27 ORDERED that the hearing date for Plaintiff's Motion To Allow Discovery (currently set for  
28 January 20, 2006) be moved to **February 3, 2006**, at **9:30 a.m.**, in Courtroom A. Defendants'

1 opposition and Plaintiff's reply will likewise be due when they would have been due had the  
2 hearing initially been set for February 3, 2006. Finally, pursuant to the Court's December 16, 2006  
3 Order, the Joint Letter providing "a detailed summary of each party's final substantive position and  
4 its final proposed compromise on each issue" will be filed with the Court on or before January 13,  
5 2006.

6  
7 Dated: 1/3/06

By :



JOSEPH C. SPERO

United States Magistrate Judge